

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

MARK ALAN HOCHLEUTNER,

Plaintiff,

v.

Case No. 11-C-0378

TRACY L. METZ, et al.,

Defendants.

ORDER FOR SANCTION

On April 19, 2011, Plaintiff Mark Alan Hochleutner filed a pro se complaint under 42 U.S.C. § 1983 against Tracy Metz, his former parole officer; Flora Bergman, a 78-year old woman he allegedly defrauded; and Detectives Handrow and Groshek, two Jefferson County Sheriff deputies who investigated the alleged fraud. Hochleutner alleged that the defendants had conspired together to falsely accuse him of defrauding Ms. Bergman and as a result he was held in custody for some eight months before the charges were finally dismissed.

On January 25, 2012, Defendant Metz filed a Motion to Compel, Extend Time, and for Sanctions, claiming Hochleutner refused to sign releases authorizing access to the probation and parole files which presumably document the actions taken by the defendants that are the subject of the lawsuit and, further, that plaintiff refused to answer substantive questions at his deposition. On January 27, 2012, this Court issued an Order (ECF No. 46) directing Hochleutner to show cause why he should not be sanctioned or agree to comply with the discovery requests. Hochleutner responded to the Order to Show Cause on February 3, 2012. On February 10, 2012, this Court

issued an order granting Defendants' Motion to Compel and Motion for Sanctions, in which the Court asked Defendants to submit affidavits setting forth the actual fees and expenses they incurred. (ECF No. 52.)

Defendants have submitted said affidavit. (ECF No. 56.) In it, they outline the following costs: \$535.47 for a court reporter and transcript fee, \$294.00 in hourly attorneys fees, and \$142.56 in mileage. I am convinced these fees are reasonable and Hochleutner is ordered to pay them for a total of \$972.03 within ten days of this order to avoid dismissal.

Hochleutner has also submitted a "motion for reconsideration" (ECF No. 57) asking this Court to reconsider its order granting the motion for sanctions. However, Hochleutner fails to present any new facts or law and the motion is accordingly **DENIED**.

Finally, Hochleutner has moved this Court for an extension of time and joinder of another complaint he has filed with this Court. (ECF No. 53; *see also* Case No. 12-CV-0125.) This motion will be **DENIED** as moot in light of the sanctions before Hochleutner now.

SO ORDERED this 1st day of March, 2012.

s/ William C. Griesbach
William C. Griesbach
United States District Judge